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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,824	10/30/2003	Kunio Yata	87900-000516/US	7182
30593 7590 02/09/2007 HARNESSE, DICKY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195			EXAMINER HERNANDEZ, NELSON D	
			ART UNIT	PAPER NUMBER
			2622	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/695,824

Applicant(s)

YATA, KUNIO

Examiner

Nelson D. Hernandez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/30/2003</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 102*

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 103 rejected under 35 U.S.C. 102(b) as being anticipated by Suda et al., US Patent 6,088,060.**

**Regarding claim 1**, Suda et al. discloses an auto focus system (See figs. 1 and 5), comprising: an auto focus device (See figs. 1 and 5) which acquires a focus evaluation value indicating a degree of sharpness (defined as maximum degree of definition; col. 1, lines 25-37) of an object image in a predetermined focus area (defined as gate areas; col. 5, line 3 – col. 6, line 2) set up within a viewing area according to a picture signal obtained from a camera (Fig. 1: 2), controls a focus of a taking lens so that the focus evaluation value indicates a best focus, and automatically focuses on a major object in the focus area (Col. 4, line 58 – col. 6, line 2; col. 7, line 1 – col. 8, line 8); a filter device (Band pass filter 5 as shown in figs. 1 and 5) which extracts a signal of a high-frequency component from the picture signal (Col. 7, line 41 – col. 8, line 8); a major object position determination device (selector 48 in conjunction with gate pulse position shift circuits 50, 51, 52 and 53 as shown in figs. 1(a) and 1(b)) which

determines a position on the viewing area of the major object focused by the auto focus device according to the signal of the high-frequency component extracted by the filter device (Col. 6, lines 3-54; col. 7, line 1 – col. 8, line 8); and a modification device which modifies at least one of a range of the focus area and the viewing area of the camera so that the focus area includes the position of the major object determined by the major object position determination device (Col. 6, lines 3-54; col. 7, line 1 – col. 8, line 8) (Col. 4, line 58 – col. 6, line 2; col. 7, line 1 – col. 8, line 8).

**Regarding claim 2**, Suda et al. discloses that the major object position determination device obtains by the filter device the signals of the high-frequency components corresponding to a first image picked up by the camera and a second image picked up by the camera after passage of a predetermined time from picking up of the first image, and compares the signal of the high-frequency component of the second image to the signal of the high-frequency component of the first image so as to acquire a shift amount of the position of the major object in the second image against the position of the major object in the first image (Suda et al. discloses obtaining video signals at different times and comparing said image signals or the high frequency components of said video signals to obtain the position information of a specific area being focused to adjust the position of the focus detecting area; col. 5, line 39 – col. 6, line 53; col. 7, line 41 – col. 8, line 5).

**Regarding claim 3**, Suda et al. discloses that the modification device displaces the at least one of the range of the focus area and the viewing area of the camera by the shift amount acquired by the major object position determination device (Col. 5, line 39 – col. 6, line 53; col. 7, line 41 – col. 8, line 5).

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**Contact**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (571) 272-7311. The examiner can normally be reached on 8:30 A.M. to 6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nelson D. Hernandez  
Examiner  
Art Unit 2622

NDHH  
February 6, 2007

  
TUAN HO  
PRIMARY EXAMINER